

2015.12.14

4.5 Deputy G.P. Southern of the Minister for Transport and Technical Services regarding proposals to outsource sectors of Transport and Technical Services' work:

It makes a change from the Minister for Social Security getting confused over figures. In the proposals to outsource significant sectors of Transport and Technical Services' work, what consideration has the Minister given to the policy, outlined in P.59/1999 Outsourcing Policy, for a framework of agreed safeguards to be developed in conjunction with employee representatives over terms and conditions where public sector employees are affected by such proposals, and if none, why?

Deputy E.J. Noel of St. Lawrence (The Minister for Transport and Technical Services):

T.T.S. (Transport and Technical Services) is currently considering all options as how to deliver its services while making significant savings. The department is unable to say at this stage whether this will be by reducing, ceasing or outsourcing services provision. All T.T.S. employees and union representatives have been briefed and involved in discussions on the various options the department is considering to make departmental savings of almost 20 per cent, some £4.6 million by 2019. The department's priority is to ensure that we provide best value and services for Islanders and outsourcing is just one option that is being discussed at a high level with staff during the initial briefings. T.T.S. is preparing for a huge programme of organisational change and is working to the current States of Jersey human resources policies and guidelines that have recently been developed and approved by the States Employment Board. These policies cover many aspects contained within the original P.59/1999 Outsourcing Policy.

4.5.1 Deputy G.P. Southern:

Specifically, will the Minister accept whether or not he is to apply the following criteria? "In consulting with employees' representatives it has been made clear that fundamental to any outsourcing policy is the need for safeguards. These safeguards should be developed in consultation with the employees' representatives and to cover issues such as equity, standardisation of wages, job security, security of tenure, health and safety, terms and conditions of service, employment of local labour." Is it his intention to negotiate with his employees on these terms?

Deputy E.J. Noel:

The Deputy there is quoting from P.59/1999, a document of some 16 years ago that came through this Assembly. Legislation and indeed best practice regarding human resources has moved on since then and I can reiterate that we are acting and complying with the current States of Jersey human resources policies and guidelines.

4.5.2 Deputy S.Y. Mézec:

Does the Minister consider it appropriate for his chief officer to be reported in the media as having made what some might consider to be a disparaging remark about the union representative who will, in the future, in the course of what T.T.S. will be doing in future, will be expecting to work with those in the department with trust and in good faith in moving forward so that both the employees, the department and the public get a good deal out of this? Does he think that the remarks he was reported as making were acceptable?

Deputy E.J. Noel:

Deputy Mézec emailed me with an excerpt from the *Jersey Evening Post* of the supposed remarks made by the chief officer. I do not find those remarks to be derogatory to the union official in any way. I am sure that the union official himself would have the same view. They were not derogatory and therefore I do not see the issue that Deputy Mézec is trying to make.

4.5.3 Deputy S.Y. Mézec:

I do not have the quote to hand unfortunately, I wish I did, otherwise I would point it out. But the gist of the quote that was issued was that, yes, well, we can expect the head of Unite Union to simply blow this out of proportion and make a public outcry over nothing when there is nothing at stake here. I call that a disparaging remark and it is casting aspersions on to the actions of his own employees' union representative, who, during the course of this will be trying his best to act in the best interests of the workers. Does he not consider that to be a disparaging remark and does he think it would be better to enter these negotiations with good faith, without making these sorts of comments?

Deputy E.J. Noel:

Deputy Mézec is not quoting directly from what the actual chief officer said there at all. He is embellishing it to make it sound something that it is not. I really ask him - he should reconsider the words that he used and go back to the article and the quote that was provided by the chief officer to the media.

4.5.4 Deputy G.P. Southern:

The Minister hinted that in this particular case, in the outsourcing of his department's tasks, that T.O.P.S.E. (Transfer of Public Sector Employees), which is the new trade union law, which - no, it is not the new law, is it? It is a best practice which applies to outsourcing and privatisation in Jersey - was used in the case of the Ports but was not used in the case of Tourism. Is he committing himself to the application of T.O.P.S.E. to his outsourcing and privatisation initiatives in this particular case?

Deputy E.J. Noel:

Deputy Southern knows full well, he brought a proposition to this Assembly in the summer of 2012 for T.U.P.E. (Transfer of Undertakings (Protection of Employment)) and that proposition, P.60/2012, was defeated handsomely: some 36 votes against, some 10 votes for. If T.T.S. and other government departments go down the outsourcing decision out of the 3 - reduced, ceasing or outsourcing - we will ensure that those organisations that we outsource services to are doing so and will employ people in a way that we will find acceptable in this Assembly.

4.5.5 Deputy G.P. Southern:

Does that mean there will be some continued continuity of terms and conditions applied to the new workforce as distinct from the old one?

Deputy E.J. Noel:

That is not the process of outsourcing. We are outsourcing a service, we are not outsourcing the individuals that currently review those services to new suppliers. But we have not got to that stage yet. We need to complete our reviews and we need to consider whether or not we reduce a particular service, cease it or outsource it.